

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of:)	
Review of the Commission's Part 95 Personal)	WT Docket No. 10-119
Radio Services Rules)	
)	
1998 Biennial Regulatory Review – 47 C.F.R.)	WT Docket No. 98-182
Part 90 – Private Land Mobile Radio Services)	RM-9222
)	
Petition for Rulemaking of Garmin International,)	RM-10762
Inc.)	
)	
Petition for Rulemaking of Omnitronics, L.L.C.)	RM-10844

COMMENTS OF JAMES EDWIN WHEDBEE

ECFS Filed: June 11, 2010

**Effective upon Release of
NPRM in Federal Register**

To the Commission:

Comes now, JAMES EDWIN WHEDBEE, who respectfully submits these comments regarding the above-captioned proceeding.

[1] Commenter, JAMES EDWIN WHEDBEE, is an interested party in this proceeding inasmuch as he holds a GMRS radio station license and radio station, WQJD930.

[2] Commenter agrees with the Commission's tentative findings and proposals in the above-captioned proceedings, in their entirety, EXCEPT as for the GMRS (*formerly Class A Citizens Radio Service*) proposals and tentative findings. Broadly speaking, this Commenter is very troubled by the Commission's recent trend of pushing the American public toward sole reliance on commercial services for their telecommunications needs rather than being independent of those. This poses a serious risk to citizens in the event of a disaster or catastrophe (*when according to numerous local, state, and federal regulatory procedures, the public is deliberately cut off*). Accordingly, with the exception of commenting on the GMRS proposals, the Commenter will not add more than to suggest the Commission be careful in whom it makes the public dependent on with regard to their right of free speech: the public knows commercial providers don't have to protect those free speech rights as would the Commission in licensing proceedings.

[3] Commenter agrees with the GMRS proposals and tentative conclusions in the following particulars:

- (a) Changing small base station power requirements to 5 Watts output power instead of ERP;
- (b) Frequency tolerance and stability requirements;
- (c) Extending GMRS license terms to ten (10) years; and,
- (d) Licensing by rule stations with power outputs of 5 Watts or less, HOWEVER, retention of the

license requirement for higher power stations, for the reasons stated below. In this regard, the Commenter instead suggests that the Commission reclassify low power transceivers (*5 Watts or less*) in the GMRS service as part of the FRS service, with consequent amendment of FRS rules to allow for this reclassification.

[4] Because it would be more effective to reclassify all GMRS transceivers with power outputs of five (5) watts or less as FRS transceivers, allow FRS that power level, and allow FRS full use of all GMRS frequencies as well as FRS frequencies, the Commenter is opposed to the GMRS proposals and tentative conclusions in the following particulars:

- (a) Licensing by rule stations with a power output exceeding 5 watts;
- (b) Reduction of station power outputs below 50 watts;
- (c) Narrowbanding of the GMRS frequencies; and,
- (d) Elimination of GMRS station identification requirements for stations transmitting with a power

output in excess of 5 watts.

[5] Commenter opposes licensing by rule GMRS stations generally; however, he is willing to concede with ubiquitous availability of handheld transceivers having power outputs of five watts or less, it may be administratively efficient to do so. However, if that is the case, rather than referring to transceivers with output powers of 5 watts or less as GMRS stations, I would rather the Commission instead reclassify those as FRS transceivers and allow FRS to operate on all FRS and GMRS frequencies with power outputs of five watts or less. This would effectively make GMRS a high power UHF private licensed mobile service, which Commenter believes is consistent with the international obligations of the United States of America near Canada and Mexico as well as preserve GMRS' character as a radio service private individuals may reliably use over longer distances without relying on commercial services.

[6] Commenter suggests that narrowbanding of GMRS will be impractical. So much GMRS equipment is already on the market and being used that, as a practical matter, narrowbanding will not be accomplished whether imposed or not. Accordingly, rather than write a rule which is going to create an enforcement disaster for the Commission, it would be preferable to allow the Business/Industrial radio services shared use of these GMRS frequencies without coordination, and make more frequencies available under Part 90.

[7] Commenter suggests extending GMRS license terms to ten (10) years and increasing the application filing fee to match those for the Business/Industrial radio service so as to offset the Commission's costs. Furthermore, given the Commenter's intent of aligning GMRS (*as an individual service*) with the Business/Industrial radio services (*as a business entity service*), it is reasonable and prudent those services have consistent fees.

[8] Commenter believes retaining licensing and station identification requirements for GMRS is necessary as a high power service (*>5 watts, <50 watts, unlimited EIRP*) with respect to international obligations toward Canada and Mexico as well as preserving an officially-sanctioned radio service which allows the public to obtain a licensed radio station system without examination as a private back-up/alternative to commercial services. I would condition this by suggesting that the period between station identifications match those for Part 90 stations which, if my suggestions are adopted, would share GMRS frequencies.

WHEREFORE, Commenter respectfully suggests the Commission consider and adopt the foregoing alternatives in their final rule in the above-captioned proceedings.

Respectfully Submitted:


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